

Message Text

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ACTION SCS-06

INFO OCT-01 ARA-14 ISO-00 CA-01 H-02 SSO-00 /024 W
-----051930 162254Z /66

O P 161800Z FEB 78
FM AMCONSUL GUADALAJARA
TO SECSTATE WASHDC IMMEDIATE 3903
INFO AMEMBASSY MEXICO PRIORITY

UNCLAS SECTION 1 OF 4 GUADALAJARA 0243

E.O. 11652: N/A
TAGS: CASC MX(HOLM, JAMES ALLEN)
SUBJ: W/W JAMES ALLEN HOLM

REF: SCS OM JANUARY 31, 1978: GUADALAJARA 1296

CONGRESSIONAL INTEREST

SUMMARY: CHRONOLOGICAL SUMMARY AS REFLECTED IN POST FILES
ON DISAPPEARANCE OF JAMES ALLEN HOLM SINCE REFTEL OF
SEPTEMBER 1, 1977. ALSO INCLUDED ARE ADDITIONAL COMMENTS BY
POST TO SUPPLEMENT THOSE ALREADY MADE BY SCS IN ITS LETTER
OF JANUARY 31 TO MICHAEL FINLEY, COMMITTEE ON INTERNATIONAL
RELATION, HOUSE OF REPRESENTATIVES.

CHRONOLOGY

1. RECEIVED PHOTOCOPY OF A LETTER DATED JULY 20, 1977,
ADDRESSED TO AN AMERICAN RESIDENT OF PUERTO VALLARTA, FROM
MILITARY COMMANDER IN PUERTO VALLARTA ON BEHALF OF THE THEN
COMMANDING GENERAL OF THE XV MILITARY ZONE, UNEQUIVOCALLY
DENYING ANY FRIENDSHIP OR PROTECTION AS APPARENTLY CLAIMED
BY PEINEMAN. AMCONSUL DISCUSSED DENIAL OF ALLEGATION OF
INFLUENCE WITH PRIVATE INVESTIGATOR HERNANDEZ.

2. COPY OF OCTOBER 4, 1977 STATUS REPORT LETTER OF PRIVATE
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INVESTIGATOR HERNANDEZ TO JOHN HOLM RECEIVED. IT DETAILS THAT
AT THE TIME THE FORMAL COMPLAINT WAS PRESENTED TO AUTHORITIES THE
OFFICIAL OPINION WAS THAT THERE WAS NOT ENOUGH EVIDENCE AGAINST
PEINEMAN OR WHAT THERE WAS WAS SO UNSUBSTANTIAL AS TO LIKELY
RESULT IN COUNTERCHARGES OF DEFAMATION, FALSE ACCUSATION, ET
AL HOWEVER, THE LETTER ALSO POINTS OKO THAT IN THE LINTERIM NEW
AUTHORITIES HAD TAKEN OFFICE WHO MIGHT VIEW THINGS DIFFERENTLY

AND THE MATTER WOULD BE RE-PRESENTED WITH ADDITIONAL INFORMATION.
AMCONSUL CONSULTED AT LENGTH WITH PROFESSIONAL INVESTIGATOR ON
FURTHER STEPS THAT MIGHT BE TAKEN.

3. LETTER SENT BY AMCONSUL TO CHAIRMAND DANTE FASCELL DATED
NOVEMBER 9, 1977 REFERRING TO CHRONOLOGICAL REPORT IN TELEGRAM
1296 AND INFORMING THE CHAIRMAN OF ADDITIONAL FOLLOW-UP EFFORTS
BY AMCONSUL GUADALAJARA.

4. LETTER DATED NOVEMBER 9, 1977 TO JEFE DEL DEPARTAMENTO DE
TRANSITO DEL ESTADO (RESPONSIBLE FOR LICENSING ALL VEHICLES)
REMINDING HIM OF AMCONSUL CONTINUING CONCERN AND SEEKING RENEWED
EFFORTS ON PART OF HIS DEPARTMENT TO LOCATE THE MISSING HOLM
VEHICLE.

5. LETTER DATED NOVEMBER 9, 1977 TO DELEGADO DE AUTOTRANSPORTE
FEDERAL (RESPONSIBLE FOR HIGWAYS CONTROL AT A FEDERAL LEVEL)
EXPRESSING SERIOUS CONCERN AND SOLICITING HIS EFFORTS IN
LOCATING JAMES HOLM AND PROVIDING INFORMATION TO FACILITATE
SUCH EFFORTS.

6. LETTER DATED NOVEMBER 10, 1977 TO THE NEWLY ASSIGNED
COMMANDING GENERAL XV MILITARY ZONE EXPRESSING CONTINUING
DEEP CONCERN ABOUT THE MISSING JAMES HOLM AND REQUESTING
RENEWED EFFORTS BY HIS COMMAND IN THE SEARCH.

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7. LETTER DATED NOVEMBER 11, 1977 TO DIRECTOR DE SEGURIDAD
Y PREVENCIÓN SOCIAL DEL ESTADO (COORDINATOR OF MUNICIPAL
AND STATE POLICE EFFORTS IN STATE OF JALISCO) PROVIDING
INFORMATION ON THE MISSING MAN AND VEHICLE, INTEREST IN THE
PEINEMAN ROLE IN THE MATTER, EFFORTS OF INVESTIGATOR
HERNANDEZ AND AMCONSUL IN SEARCH AND URGING HIS ACTION IN
THE MATTER.

8. LETTER DATED NOVEMBER 10, 1977 AND RECEIVED ON NOVEMBER
14, 1977 FROM GENERAL RAMOS CABANAS, JEFE DEL DEPTO DE
SEGURIDAD PÚBLICO Y PREVENCIÓN SOCIAL DEL ESTADO.

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ACTION SCS-06

INFO OCT-01 ARA-14 ISO-00 CA-01 H-02 SSO-00 /024 W
-----064234 171018Z /11/66

O P 161800Z FEB 78
FM AMCONSUL GUADALAJARA
TO SECSTATE WASHDC IMMEDIATE 3904
INFO AMEMBASSY MEXICO PRIORITY

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C O R R E N T E D C O P Y (PARA 13)

HE REPLYING TO AMCONSUL LETTER OF NOVEMBER 9 TO JEFE DE
TRANSITO AND INDICATING THAT SUCH ACTION AS APPROPRIATE
WILL BE TAKEN.

9. RECEIVED LETTER DATED NOVEMBER 16, 1977 FROM COMMANDING
GENERAL XV ZONE ACKNOWLEDGING AMCONSUL LETTER OF NOVEMBER 10
AND PROMISING APPROPRIATE ATTENTION TO THE MATTER.

10. ON FEBRUARY 6, 1978 CHIEF, AMERICAN CITIZEN SERVICES
SECTION OF CONSULATE GENERAL, NEWLY RETURNED FROM LEAVE IN
US, CONFERRED AT LENGTH WITH PRIVATE INVESTIGATOR HERNANDEZ
ON PROGRESS OF SEARCH AND THE APPARENT LACK OF POSITIVE
RESULTS. WAS PROVIDED BRIEFING ON INVESTIGATORS MOST RECENT
EFFORTS. IT APPEARS THAT WITH NEW OFFICIALS NOW INVOLVED
AND WITH AMCONSULS PUSHING OF THE MATTER FURTHER ACTIVITY
HAD BEEN STIMULATED. WITHOUT BEING TOTALLY SANGUINE ABOUT
IT, IT NOW APPEARS THAT CONSIDERABLE ATTENTION IS BEING
GIVEN TO PEINEMAN ACTIVITIES IN HOLM MATTER AND THAT CHARGES
MAY SOON BE LAID AGAINST HIM.

11. ON FEBRUARY 9, 1978 AMCONSUL SENT LETTER TO THE PROCURADOR
DEL ESTADO DE JALISCO (JALISCO STATE ATTORNEY GENERAL) PRESSING
FOR EFFECTIVE ACTION IN THE CASE.

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12. ON FEBRUARY 15, 1978 CONSUL GENERAL BLEVINS HAD A PROTOCOL
APPOINTMENT WITH THE PROCURADOR. THE CONSUL GENERAL USED THE
OCCASION TO DISCUSS THE HOLM CASE AND TO STRESS OUR STRONG
CONTINUING INTEREST IN LOCATING THE MISSING HOLM AND IN
PURSUING WITH VIGOR THE INVESTIGATION OF ALL LEADS TO THE
PROSECUTION OF ANYONE THAT MAY HAVE PLAYED A CULPABLE ROLE
IN THE YOUNG MAN'S DISAPPEARANCE. THE PROCURADOR RESPONDED
THAT THE CASE IS STILL VERY MUCH UNDER ACTIVE CONSIDERATION
AND INVESTIGATION AND THAT HE WOULD PERSONALLY ASSURE THAT
ALL APPROPRIATE LEGAL ACTIONS ARE PURSUED.

THIS CASE IS SCHEDULED FOR PERIODIC REVIEW WITHIN THE
CONSULATE GENERAL. THE DEPARTMENT WILL BE KEPT INFORMED OF
ANY NEW DEVELOPMENTS.

COMMENTS TO SUPPLEMENT INFORMATION IN HENNEMEYER LETTER OF
JANUARY 31, 1978 TO STAFF DIRECTOR FINLEY.

13. IN HER UNDATED LETTER RECEIVED BY AMCONSUL ON JUNE
24, 1976, MISS ERDAHL STATED SHE HAD NOT HEARD FROM HER
FRIEND JAMES HOLM SINCE APRIL 29 AND TO HER KNOWLEDGE HE HAD
NOT RE-ENTERED THE US, THAT SHE HAD NOT BEEN PROVIDED INFO
BY THE DEPARTMENT OF STATE DUE TO THE PROVISIONS OF THE PRIVACY
ACT BUT HAD SUGGESTED TO HER THAT SHE CONTACT AMCONSUL GUADALAJARA
DIREC SO THAT AMCONSUL WMULD CONTACT LOCAL AUHORITIES AND
IF HE WERE LOCATED TO CONTACT HER. HER LETTER RECEIVED ALL
DUE ATTENTION: CONSULAR FILES AND RECORDS WERE CHECKED THROUGHLY
AND THE REGULAR LIST OF LOCAL STATE AUTHORITIES SUCH AS POLICE
AGENCIES, JAILS, EMERGENY HOSPITALS, HIGHWAY PATROLS, CHECKED.
WE WERE NOT ABLE TO MAKE NEIGHBORHOOD CHECKS SINCE NO ADDRESSES
WERE PROVIDED. MISS ERDAHL WAS TOLD THAT AMCONSUL HAD NO
INFORMATION ON HOLM AND SHE WAS ASKED TO PROVIDE HIS LAT
ADDRESS IN MEXICO SO WE COULD MAKE
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ACTION SCS-06

INFO OCT-01 ARA-14 ISO-00 CA-01 H-02 SSO-00 /024 W
-----054065 162259Z /66

O P 161800Z FEB 78
FM AMCONSUL GUADALAJARA
TO SECSTATE WASHDC IMMEDIATE 3905
INFO AMEMBASSY MEXICO PRIORITY

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A FURTHER EFFPORT TO RELAY HER MESSAGE OF CONCERN. NO
FURTHER INFORMATION WAS EVER RECEIVED FROM MISS ERDAHL.

14. ACCORDING TO AMCONSUL RECORDS THE ONLY ALLEGATION THAT PEINEMAN WAS IN POSSESSION OF U.S. PASSPORT WAS MADE TO AMCONSUL ON AUGUST 11, 1976 BY A U.S. CITIZEN RESIDENT IN PUERTO VALLARTA PRESUMABLY BASED UPON A CLAIM MADE BY RICHARD JOHNSON, A FRIEND OF THE HOLM FAMILY WHO WAS CONDUCTING AN UNOFFICIAL INVESTIGATION. IN ANY CASE AN INQUIRY MADE BY AMCONSUL TO PUERTO VALLARTA POLICE REGARDING THE ALLEGED POSSESSION OF A U.S. PASSPORT WAS NEGATIVE. IN AN INTERVIEW WITH PEINEMAN WHEN HE WAS IN JAIL (ORDINARILY PERSONS ARE QUICK TO CLAIM U.S. CITIZENSHIP UNDER SUCH CIRCUMSTANCES) HE SPECIFICALLY DENIED THAT HE HAD ANY CLAIM TO U.S. NATIONALITY. THE ALLEGATION APPEARED WITHOUT FOUNDATION. IF BY CHANCE PEINEMAN WAS U.S. CITIZEN AND THE BEARER OF A VALID U.S. PASSPORT, WHAT MATERIAL BEARING WOULD IT HAVE ON THIS CASE?

15. ACCORDING TO AMCONSUL RECORDS OF AUGUST 11, 1976 THE CIRCUMSTANTIAL EVIDENCE RELAYED TO US BY AN AMERICAN CONTACT IN PUERTO VALLARTA CONSISTED OF THE CLAIM THAT "POLICE SAY SOMEONE REPORTED SEEING HOLM AND PEINEMAN GO INTO THE MOUNTAINS WITH HOLMS VEHICLE AND THAT PEINEMAN RETURNED ALONE WITH THE VEHICLE" AND THAT JOHNSON CLAIMED THAT POLICE INFORMED HIM THAT A SEARCH OF PEINEMAN'S HOUSE RESULTED IN UNCLASSIFIED

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DISCOVERY OF A U.S. PASSPORT. IT IS APPARENT FROM THE ABOVE THAT THE POLICE WERE CONDUCTING AN OFFICIAL INVESTIGATION BUT HAD EVIDENCE INADEQUATE TO SUSTAIN CHARGES AGAINST PEINEMAN INsofar AS THE MISSING JAMES HOLM WAS CONCERNED. AN OTHER WISE UNIDENTIFIED "SOMEONE" IS A WEAK WITNESS: THE PASSPORT ALLEGATION, IN TURN, HAS NOT STOOD UP TO SECRUTINY.

16. THE CIRCUMSTANTIAL EVIDENCE REPORT TO AMCONSUL ON AUGUST 14 AND 16, 1976 CONSISTS OF THE STATEMENT THAT HOLM'S DIVING EQUIPMENT WAS FOUND IN PEINEMAN'S HOUSE AND AN ALLEGATION THAT PEINEMAN PAWNEED HOLM'S TYPEWRITER IN MAY 1976 THE POLICE IN PUERTO VALLARTA WHO JOHNSON AND DUNLOP SAID PROVIDED GOOD COOPERATION HAD BEEN INVESTIGATING THE DISSAPEARANCE OF JAMES HOLM AND HAD ALL THE AVAILABLE CIRCUMSTANTIAL EVIDENCE BUT APPARENTLY CHOSE NOT TO ACT. WE CAN ONLY ASSUME THAT THE EVIDENCE WAS REGARDED AS TOO WEAK. AMCONSUL RECORDS DO NOT REFLECT OUR BEING MADE AWARE OF ANY NEW CIRCUMSTANTIAL EVIDENCE ON AUGUST 18. (FYI: ON THE NEXT SCHEDULED PRISONER VISIT TO PUERTO VALLARTA BY A CONSULAR OFFICER, THE LOCAL POLICE WILL BE ASKED ABOUT THE DISPOSITION OF PERSONAL PROPERTY FOUND IN PERINEMAN'S HOUSE AND FURTHER REPORT WILL BE FORTHCOMING ON THIS POINT).

17. POLICE AUTHORITIES IN PUERTO VALLARTA AS WELL AS IN GUADALAJARA WERE AWARE OF, AND INVESTIGATING, THE CASE. THESE SAME AUTHORITIES WERE AWARE OF AMCONSUL CONCERN AS A RESULT OF OUR INQUIRIES AND REQUESTS FOR ASSISTANCE IN LOCATING HOLM. SUCH AWARENESS WAS SUBSEQUENTLY REINFORCED IN OFFICIAL CORRESPONDENCE AS MENTIONED IN OUR PREVIOUS REPORTS. THEREFORE IT IS INCORRECT TO SAY THAT WE NEVER OFFICIALLY REQUESTED AN INVESTIGATION.

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18. THE POLICE HAVE NOT INFORMED AMCONSUL OF THE PRECISE METHODS, TECHNIQUES OR DETAILS OF THEIR INVESTIGATION AND THUS WE ARE NOT IN A POSITION TO SAY WITH ASSURANCE THAT THEY EXHAUSTED EVERY EFFORT TO DETERMINE THE ORIGIN OF THE TELEGRAM RECEIVED BY MISS ERDAHL. HOWEVER, THEY HAVE ASSURED US THAT THEY HAVE CHECKED INTO THAT AS WELL AS ALL OTHER LEADS.

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ACTION SCS-06

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-----053808 162300Z /66

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FM AMCONSUL GUADALAJARA
TO SECSTATE WASHDC IMMEDIATE 3906
INFO AMEMBASSY MEXICO PRIORITY

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19. A FURTHER REPORT WILL BE SENT WHENEVER FURTHER INFORMATION IS RECEIVED. THE DEPARTMENT'S SUPPORT BY REMINDING THE CONGRESSIONAL COMMITTEE THAT CONSULAR OFFICERS ARE PROHIBITED FROM CONDUCTING INVESTIGATIONS IN THE COUNTRIES TO WHICH THEY ARE CREDITED IS APPRECIATED AS IS THE COMMENT THAT THE MOST WE CAN DO IS TO REQUEST THE LOCAL AUTHORITIES TO DO SO AND THAT WE IN FACT DID THAT.
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Review Withdrawn Fields: n/a
SAS ID: 3576304
Secure: OPEN
Status: NATIVE
Subject: W/W JAMES ALLEN HOLM
TAGS: CASC, MX, (HOLM, JAMES ALLEN)
To: STATE
Type: TE
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